City of Lafayette
DRAFT MINUTES
Design Review Commission

Lafayette Library and Learning Center – Arts & Science Discovery Center — April 14, 2025
3491 Mount Diablo Boulevard, Lafayette, CA 94549 — 7:00 p.m.

1. CALL TO ORDER:

The meeting was called to order at 7:00 p.m. by Chair Cass who provided hybrid meeting protocols and disclosures.

2. ROLL CALL:

Commissioners present:	Chair Glenn Cass; Vice Chair Richard Stanton; Commissioners Jon Gray, and Travis Kauzer
Commissioners Excused:	Commissioner Arman Hadilou
Staff:	Anna Tolle, Assistant Planner; Planning Technician Madison Leonard

3. ADOPTION OF AGENDA:

A. April 14, 2025 Meeting Agenda
Recommendation: Approve

ACTION: Vice Chair Stanton moved to adopt the agenda. Commissioner Gray seconded the motion, which carried by unanimous consent (4-0-1; Hadilou absent).

4. PUBLIC COMMENTS: None.

5. CONSENT CALENDAR:

Chair Cass stated he has two changes to the minutes: Page 3, line 21; Richard Wheeler did not cede time. It was his wife that ceded time. Page 6, line 3; It states, "Ensure that the future fence will be in compliance. He asked to remove the word "not." He asked and confirmed there were no public comments.

A. March 24, 2025 Draft Meeting Minutes
Recommendation: Approve

ACTION: Vice Chair Stanton to approve the March 24, 2025 draft meeting minutes, as amended. Commissioner Gray seconded the motion, which carried by unanimous consent (4-0-1; Hadilou absent).

6. STUDY SESSION: None.

7. CONTINUED PUBLIC HEARING: None.

8. NEW PUBLIC HEARINGS:

A. DR19-24, V13-24, TP53-24 Russell (Owner), R-6 Zoning: Request for 1) Design Review, 2) Variance, and 3) Tree Permit to demolish an existing 647 SF one-story single-family home and construct a 2,098 SF two-story home with a max height of 23'-4" (max ridge height 25'-7"), reduce the required front setback from 20' to 8'-5" and locate one uncovered parking space in the setback , and remove four protected oak trees at 968 4th St, APN 233-060-056.
Environmental Review: Categorically exempt from California Environmental Quality Act (CEQA) pursuant to §15301(L), Demolition of single-family residence; and §15303(A), Construction of single-family residence.
Project Planner: Madison Leonard, mleonard@lovelafayette.org, (925) 299-3250
Recommendation: Find the project exempt from CEQA and adopt Resolution 2025-01, approving the project subject to Conditions of Approval.

Planning Technician Madison Leonard gave the staff report and PowerPoint presentation of the request for 1) Design Review, 2) Variance, and 3) Tree Permit to demolish an existing 647 SF one-story single-family home and construct a 2,098 SF two-story home with a max height of 23'-4" (max ridge height 25'-7"), reduce the required front setback from 20' to 8'-5" and locate one uncovered parking space in the setback , and remove four protected oak trees at 968 4th Street.

Chair Cass called upon the applicant for a presentation.

Joseph Gorny, Architect, said he was on site with the owners a month ago and the owners considered going to a one-story house without a garage. After some soul-searching, they decided doing the two-story house with the one-car garage was a better thing to do economically and also for them to live. He knew he would be in France for this meeting and wrote his comments down which were in the packet. There was one typographical error which was pointed out relating to building a house on the lot with the trees and the Creekside setback.

He has been working with staff for six months and Ms. Leonard covered everything important in the staff report. Matt Luttropp had many comments about the creek setback and they addressed these. He understands the neighbor's concerns about both privacy, but this is a buildable lot that has extreme constraints and unique opportunities in that they ~~give them the~~qualify for reduced setbacks. They put the five-foot setback for the house on the Peterson residence's side. Part of this was to save a nice Cork Oak tree on the property line and also there is a 48" oak tree they are really trying to save. The arborist recommended they remove it, and he has been working with him to try to save it, as it is a significant tree and a significant part of the canopy. They will do everything they can to be able to keep it.

The one thing about having the setback on the Peterson side also is that it is 13'4" off the property line to the small upper windows at the primary bedroom up above. Those windows are 4'8" off the floor and they are 2'4" tall. So, he knows there was a request to make them clerestory windows which would be a narrow, horizontal window which does not goes with the style of the house, and he feels these windows are appropriate. They are half the height of the larger single homes at the back, so they think proportionally it fits in. He knows Ms. Peterson had also mentioned that it is a disproportionally large house for the neighborhood, but he thinks it fits in with the newer houses that have been done over the last few years, which were all two-story and larger than this one.

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They are proposing to take out the one Pine tree on the property line on the other side. That owner has been telling him stories about trees that have been falling down in the neighborhood and that hang over her house, so she is okay with removal of the Pine tree. Number 3, 16, and 17 are being taken out to fit the house, and these are the ones he refers to as twigs with leaves because they have been severely pruned over the years which made them quite unhealthy in the arborist's opinion. Tree 15 is fairly small, as is tree 14.

According to the arborist, 30 and 12 years ago, some portions of the canopy were removed in the neighborhood to allow some of the larger houses. He said the trees were taken out which were in a poor condition rating, that they had been pruned severely and topped and headed back, and there is significant delay on them from the pruning wounds. He is available to answer questions and thinks staff has done a good job to get this to work out. He thinks it fits the site and the neighborhood, thinks the variances are appropriate, and would like to see it move forward today. He can answer questions and if there are any comments he could deal with as a question, he asked the Commission to address them as a question and he will try to answer them.

Chair Cass asked and confirmed there were no questions of Commissioners. He then opened the public comment period.

Brooke Peterson said she was not sure if Ms. Leonard could show the pictures she took and would like for the DRC to take into consideration the obstructed view that they will have with the house from their backyard and the shade cover that will be affected. She has no doubt the house will be gorgeous, but she is a little concerned about the removal of the trees as mentioned in her email because they provide a very, very large amount of shade to their backyard. She thinks the house is large, but not in comparison to the neighborhood at all, but for the lot which was her second concern, and she hopes they can still consider clerestory windows on the second floor because she does like the idea of no one being able to peer down in a fishbowl to their yard. In summary, the three points are well outlined in her email and knew she would be driving during the meeting and wanted to be sure to document them. She would appreciate if the DRC members could review the pictures showing how the trees cover their backyard and the amount of shade provided.

Ms. Leonard noted that the trees she is referencing are added to the staff report packet with the public comments. ~~She then displayed them~~.

Rachel Berkowitz asked the DRC to consider taking down the least amount of trees as possible. She thinks they do provide a beautiful canopy on their street and part of the reason why they moved so many years ago, but her greater concern is the windows on the second floor and the privacy concerns around those. She remembers when they did their own addition onto their house, one of the things the City made them take away from their design was a window, and it had to be one of the clerestory windows so they were not able to look into the neighbor's yard at all from the second floor of their home. It looks like the proposed windows are a bit higher but she thinks the architect said they were 4'8" so she was not sure if that is high enough. Therefore, she would encourage a higher window so they are not all living in a fishbowl.

Chair Cass asked if staff had any photographs of the Peterson house and what windows they have along their side. Ms. Leonard said she does not have an image of the Peterson house. She visited the site and could pull up a Google street view and hopefully hit the side of the home.

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Chair Cass confirmed the Peterson's have three windows on the side. Commissioner Gray presented a picture of them, as well.

Chair Cass called for deliberation from Commissioners.

Commissioner Gray said he appreciates the evolution in this short time period. He thinks encompassing the garage, facing and addressing the street, and maintaining the architectural style that is contextual with the surrounding houses is very positive. He thinks the approach to trees is reasonable, sees the effort to maintain what the owners can, sees the trees proposed to be removed are not great trees, so he does not have concerns there.

He has questions regarding the windows on the upper floors. He asked if the windows are in the master bedroom are on the right elevations to the far right when looking at the drawing PO-6. He asked if they would consider using translucent obscure glass there as opposed to clear glass so they get all the daylight but there is no outlook from those windows. They are too high to see out of conveniently anyway, but obscure glass is often used in bathrooms which still gives the daylight, but would eliminate any concern about privacy.

Vice Chair Stanton said he thinks the large window is over their tub if he is understanding the drawings correctly.

Commissioner Gray asked and confirmed that the windows facing over the yard that are larger would be the ones that give them the view out the back. He asked if they would consider using obscure glass which would address the neighbor's concerns.

Chair Cass asked and confirmed they were talking about the small ones. Commissioner Gray said yes, and noted the large window is overlooking the neighbor's roof and not their yard on the opposite side. He suggested the high windows on both sides which are tall rectangular windows, which he pointed to. He did not think they give a lot of view and it would be nice to have the daylight from them which is a way to help the neighbors feel more comfortable. If that is acceptable, he thinks it is a nice house and would support it.

Vice Chair Stanton said given all the constraints on this site, he thinks the trees must come out in order to make it a buildable project on the site. The trees are not in good condition, as well. He thinks the design of the house is nice in that it tries to minimize the bulk of the house by the different way it treats the front of the house, and there is articulation as the house goes back. So, he likes the style and thinks it will fit in with the neighborhood. Personally, he thinks the windows are small enough and up high enough that are in the bedroom to not be an issue with the neighbor. If the applicant is fine with making them translucent, he does not have an issue with that either.

Commissioner Kauzer echoed comments, said trees are not a concern having passed the house today. The design is fitting of the street, as there are multiple two-story homes on the street with condensed lots, and he thinks the applicant has done everything within reason he could, and voiced support.

Chair Cass concurs with Commissioner Gray. He thinks they would not want to change the style to clerestory windows and if they make opaque glass in the four windows, they will still get daylight which will help the neighbors that they are not looking in their backyard and disturbing their privacy. As far as trees go, it is very reasonable for what is proposed. The landscape plan is fine and he is sorry the one-story did not work out, but he thinks it is a very attractive house and he voiced support.

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Mr. Gorny asked the Commission if they would consider if the upper windows were 2 feet tall and not 2'4", meaning the bottom of the glass would be 5'1" off of the floor. They will have window coverings on them as part of the interior design.

Commissioner Kauzer said he did not think it was about the size.

Mr. Gorny said also the homeowner on the other side did not have an issue she was okay with them. So, it was up to the owners if they were okay with the obscure glass, but it is just not an attractive look. He asked if it would be a seeded glass or something more traditional versus cloudy glass.

Chair Cass said that would be okay with him. Commissioner Gray said he had no concerns with the particular texture of the obscure pattern and it could be whatever the homeowner likes, but he would like to see all four windows of obscure glass.

ACTION: Commissioner Gray to find the project exempt from CEQA and adopt Resolution 2025-01, approving the project subject to Conditions of Approval, with the additional Condition regarding the four windows on the master bedroom being obscure translucent glass. Commissioner Kauzer seconded the motion, which carried by unanimous consent (4-0-1; Hadilou absent).

9. OTHER BUSINESS:

A. ARC Volunteer: Virtual meeting for Friday, April 18, 2025 at 9:30 a.m.

Chair Cass volunteered to serve as ARC volunteer for Friday, April 18, 2025.

10. COMMISSIONERS' REPORTS:

Chair Cass said he did not hear back on the May 5th joint meeting, and he asked if this will be held. Ms. Tolle said as far as she aware, there will be joint meeting with the Planning Commission and has seen it on the calendar. Commissioner Gray said he would not be able to attend, as well as Chair Cass. Vice Chair Stanton, and Commissioner Kauzer confirmed their attendance and suggested reaching out to Commissioner Hadilou.

12. STAFF LIAISON'S REPORT: None.

13. ADJOURN:

The meeting adjourned at 7:36 p.m. The next regularly scheduled meeting of the Design Review Commission is Monday, April 28, 2025.

Respectfully submitted,

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Lisa Harper

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